

FILED

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March 7, 2022

Hon. Brian M. Cogan
United States District Court Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Brainwave Science, Inc. v. Arshee, Inc., Farwell, Maison, and Brain Fingerprinting Foundation*

21-cv-4402

Your Honor:

As per advice I have received from an attorney with knowledge of the case (acting as an unofficial advisor pro bono), I am writing to request leave of the court to amend the Answer to Complaint dated October 18, 2021.

I hereby request leave to withdraw the First Counterclaim by Defendant Farwell (myself) therein.

The claim I am withdrawing reads as follows:

FIRST COUNTERCLAIM BY DEFENDANT FARWELL

55. Farwell was granted an equity interest in Plaintiff BWS equal to 49% of the value of the Plaintiff corporation;
56. The ownership interest so granted was in exchange for Farwell's exchange of certain patents he owned which BWS wished to utilize and exploit for its own benefit;
57. Despite Farwell's agreement to provide the patent rights to BWS, he was not compensated as agreed;
58. In fact, BWS unlawfully "stripped" Farwell of all ownership rights in BWS by virtue of a vote by the Board of Directors at a Board meeting Farwell did not attend and of which he had no proper notice;
59. Farwell's ownership interest was taken from him without due process;
60. Farwell was not compensated in any amount for his ownership share in BWS after said ownership interest was taken from him at the aforesaid Board of Directors' meeting;
61. Farwell is entitled to damages in a sum equal to 49% of the value of BWS or in an amount to be determined at trial.

Sincerely,

Lawrence A. Farwell

Dr. Lawrence A. Farwell, Defendant

Date: February 28, 2022

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